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| OCFS LOCAL COMMISSIONERS MEMORANDUM |
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Transmittal No: 98 OCFS LCM-7

Date: August 31, 1998

Office: Quality Assurance and
Audit

TO: Local District Commissioners

SUBJECT: TITLE IV-E CASE REVIEW PILOT PROJECT

ATTACHMENTS: PILOT TITLE IV-E FOSTER CARE ELIGIBILITY
REVIEW CHECKLIST (NOT AVAILABLE ON-LINE)

The purpose of this memorandum is to inform you of the Office of Children and Family Services' (OCFS) participation with the U.S. Department of Health and Human Services' Agency for Children and Families (ACF) in a pilot Title IV-E review of foster care placements. In addition, OCFS is seeking social services districts' cooperation and possible participation on this project. The purpose of the pilot is to test the applicability of ACF's draft revised Title IV-E audit criteria and checklist. Further, ACF is willing to work with OCFS and staff from social services districts to provide its best thinking as to the impact on Title IV-E documentation requirements necessitated by Personal Responsibility and Work Opportunity Reconciliation Act (PRWORA) of 1996, the Adoption and Safe Families Act of 1997 and recent federal Department Appeals Board (DAB) decisions.

Pursuant to discussions with ACF and in light of pilot Title IV-E reviews completed in other states, we can advise you of the following:

1. The review will consist of two 40 case samples (one covering NYC and the other covering the rest of the State) which are drawn from a Statewide universe of foster care cases reimbursed under Title IV-E.

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Social services districts will be required to provide case record documentation for those cases selected in the sample, but not every district will have cases selected.

The audit period will encompass payments made by social services districts for foster care rendered from October 1, 1995 through March 31, 1996.

2. ACF will not use the results of this review to extrapolate and/or project any fiscal disallowance. Social services districts will be required to make adjustments to their Title IV-E claims for any case or placement determined to be ineligible beginning with payments for services rendered on or after April 1, 1996.

3. ACF is willing to add to the project a separate sample of recent placements (about 10 cases) for purposes of evaluating eligibility processes and proposed changes in audit criteria necessitated in part by recent federal legislation and Departmental Appeals Board decisions. This additional review would be useful to the extent it provides us with ACF's best thinking regarding the impact of these changes. The additional 10 case review would involve no fiscal disallowance or sanctions by ACF.

4. The review of the sampled cases will be done at 52 Washington Street, Rensselaer during the week of September 14th. ACF will provide 4 reviewers and they have asked the State and local social services staff to provide up to 6 additional reviewers. There will be a mandatory 2 hour orientation session for all reviewers to be provided by ACF on the morning of September 14. ACF plans to complete the review in one week and provide an exit conference on September 18. A report of findings and recommended corrective action would then be developed by ACF with the participation of OCFS and local social services staff as appropriate.

In order to assure a successful project we will need your cooperation. In the first instance, should one or more of the children's records be selected in either sample, we will ask your support and assistance in providing the foster care records. Once the cases have been identified and record(s) have been sent to us, we will determine if we have a complete case record. If additional specific documentation is needed, OCFS staff will contact you. Districts are encouraged to send complete originals or legible copies. Attached to this memorandum is a copy of the most recent draft protocol ACF has provided us for the review. This draft should be useful in determining what documents you may need to secure if not all necessary items are not contained in the case record itself.

Please designate a contact person as soon as possible for this office to work with for the pilot review. We will contact that person should one or more cases be identified from your district for review. Kindly advise Mr. John Conboy, at (518) 402-0147 or Ms. Veronica Lynch at (518) 473-0143 of

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your designee. They are available to answer your questions and provide guidance as necessary. We look forward to your cooperation in working with ACF staff and us on this project.

Melvin I. Rosenblat
Deputy Commissioner for Administration